

Cliff Fonstein (CF-8603)
Joanne Seltzer (JS-2686)
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Attorneys For Defendant
Deutsche Bank Securities, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
GERARD PLANT,

Plaintiff,

- against -

DEUTSCHE BANK SECURITIES, INC.

Defendant.
----- X

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: 07 Civ. 3498 (AKH)
:
:

: **NOTICE OF MOTION FOR**
: **PARTIAL DISMISSAL OF**
: **PLAINTIFF'S COMPLAINT**
:
:
:

To: Attorney for Plaintiff:
Michael E. Norton
Norton & Associates LLC
551 Fifth Avenue, 27th Floor
New York, New York 10176-2701

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Affidavit of Cliff Fonstein, the undersigned will move this Court before The Honorable Alvin K. Hellerstein at the United States Courthouse, 500 Pearl Street, New York, New York 10007 for an order pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing the time-barred claims in Plaintiff Gerard Plant's Complaint, in their entirety and with prejudice, for failure to state a claim upon which relief can be granted.

Dated: June 11, 2007
New York, New York

Respectfully submitted,

SIDLEY AUSTIN LLP

By: 

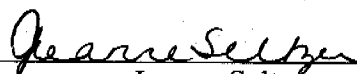
Cliff Feinstein (OF-8603)
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(212) 839-5300

Attorneys for Defendant
Deutsche Bank Securities Inc.

CERTIFICATE OF SERVICE

I, Joanne Seltzer, an attorney admitted to practice in the State of New York, and not a party to this action, state under penalty of perjury that on this 11th day of June, 2007, I caused a true and correct copy of the foregoing Notice of Motion for Partial Dismissal of Plaintiff's Complaint to be served by hand upon the following parties:

Attorney for Plaintiff:
Michael E. Norton
Norton & Associates LLC
551 Fifth Avenue, 27th Floor
New York, New York 10176-2701


Joanne Seltzer